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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 7, 1871.

Read twice and referred to the Committee on Territories.

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## AN ACT

To provide a temporary civil organization for the Territory of Alaska.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That until otherwise provided by law, all the territory acquired  
4       by the United States of America, by treaty between the  
5       United States and his Majesty the Emperor of all the Russias,  
6       concluded March thirty, eighteen hundred and sixty-seven,  
7       and ratified by the United States May twenty-eight, eighteen  
8       hundred and sixty-seven, together with all the islands in-  
9       cluded in said purchase, be, and the same is hereby, erected  
10      into, and declared to be, a county, to be called the county of  
11      Alaska, (with the county-seat thereof at Sitka,) and attached  
12      to the Territory of Washington, for executive, legislative, and  
13      judicial purposes.

1       SEC. 2. *And be it further enacted,* That all laws of a  
2       public and general nature now in force in the Territory of

Washington, or which may be hereafter enacted by the legislature thereof, and not disapproved by Congress, shall have the force and effect of law in said county of Alaska : *Provided*, That this act shall not impair any contract made with any person, persons, or company in regard to the fur-seal fishery, or business, or any act of Congress heretofore passed in regard to the same.

SEC. 3. *And be it further enacted*, That until otherwise provided by legislative enactment, said county of Alaska shall be entitled to one councilman and two members of the lower house of the legislature of the Territory of Washington, and that the representation of said county shall not be reduced below one member for each house, but may be increased at any subsequent apportionment: *Provided*, That the legislative assembly of the Territory of Washington shall consist of ten members in the council, and thirty-two in the lower house.

SEC. 4. *And be it further enacted*, That the first election shall be held in said county on the second Monday of June, eighteen hundred and seventy-one, and thereafter as prescribed by law. The governor of Washington Territory shall issue a proclamation at least sixty days before said election, prescribing the place or places of holding said first election, the officers to be elected, including one councilman and two members of the lower house of the legislature, to be entitled to seats in the next session thereof, and the qualifications of

10 electors as defined by law. He shall also appoint the judges,  
11 clerks, and inspectors to conduct said election, who shall pos-  
12 sess the qualifications, take and subscribe the oaths, and per-  
13 form the duties of such officers as now prescribed by the laws  
14 in force in Washington Territory. The returns of said elec-  
15 tion shall be subscribed and sworn to by the officers thereof,  
16 sealed and transmitted to the governor, who shall, in the  
17 presence of the secretary or marshal, open, count, declare, and  
18 publish the result thereof, and at once issue commissions or  
19 certificates of election to such as have received the highest  
20 number of votes for each office respectively. Cases of con-  
21 test arising under said first election shall be tried and deter-  
22 mined in conformity with existing law.

1       SEC. 5. *And be it further enacted,* That the President  
2 shall, by and with the advice and consent of the Senate, ap-  
3 point a district judge for the county of Alaska, (who shall  
4 also be a justice of the supreme court of Washington Territory,)  
5 whose jurisdiction shall be co-extensive with said county, and  
6 whose powers, duties, and compensation shall be the same as  
7 the district judges of said Washington Territory.

1       SEC. 6. *And be it further enacted,* That until other-  
2 wise provided by law, there shall be held two terms of the  
3 district court annually at Sitka; said terms to commence on  
4 the first Mondays of April and September of each year, for

5 the trial of United States and territorial causes, civil and  
6 criminal, and also causes in admiralty.

1       SEC. 7. *And be it further enacted*, That the United States  
2 district attorney and marshal for Washington Territory  
3 shall perform the duties of their respective offices  
4 in said county of Alaska also, and shall receive  
5 the same compensation as now prescribed by law for such  
6 officers in the State of Oregon: *Provided*, That in case said  
7 district attorney should fail to attend any of the terms of said  
8 district court at Sitka, the presiding judge of said court may  
9 appoint a district attorney to act for such term, who shall be  
10 entitled to the same fees and per diem as the district attorney  
11 when in attendance upon the terms of the court.

1       SEC. 8. *And be it further enacted*, That writs of error  
2 and appeals may be prosecuted from the district court at Sitka  
3 to the supreme court of Washington Territory, in accordance  
4 with the provisions and subject to the conditions of existing  
5 law regulating writs of error and appeals from the other dis-  
6 trict courts of said Territory: *Provided*, That whenever all  
7 of the justices shall be present at a term of the supreme  
8 court, no judge shall sit in a cause which has been heard and  
9 determined by him in the court below.

Passed the House of Representatives February 4, 1871.

Attest:

EDWARD McPHERSON, *Clerk*.